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BRITTANY LEBON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRITTANY LEBON,

Defendant.

CR 12-00775 YGR

STIPULATION TO CONTINUANCE
AND EXCLUSION OF TIME UNDER
THE SPEEDY TRIAL ACT, 18 U.S.C. §
3161 ET. SEQ.; ORDER

IT IS HEREBY STIPULATED AND AGREED, between the parties to this action, that the status hearing date of March 28, 2013, presently scheduled at 2:00 p.m. before the Honorable Yvonne Gonzalez Rogers, be vacated and the matter be re-set for May 2, 2013.

The requested continuance is necessary because defense counsel previously issued subpoenas for records relevant to determining the loss amount in this case. Some of the entities have responded with records; those records are in excess of 1300 pages. One of the entities misunderstood the subpoena and requires additional time to comply. Review and evaluation of the subpoenaed records is necessary in order to determine the applicable sentencing guidelines. Additionally, defense

counsel inadvertently scheduled this appearance for a day that she was scheduled to be out of town.

The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorney for the government or defense counsel. For these reasons, the parties stipulate that the time between March 28, 2013 and May 2, 2013 be excluded under 18 U.S.C. §3161(h)(7)(A) and 18 U.S.C. §3161(h)(7)(B)(iv), because the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to afford the Defendant effective preparation of counsel and continuity of counsel.

Date: March 26, 2013

/s/
ELLEN V. LEONIDA
Assistant Federal Public Defender
Counsel for defendant BRITTANY LEBON

Date: March 26, 2013

/s/
MAUREEN BESSETTE
Special Assistant United States Attorney

ORDER

GOOD CAUSE HAVING BEEN SHOWN, the court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to May 2, 2013 at 2:00 p.m., before the Honorable Yvonne Gonzalez Rogers, and that time is excluded from March 28, 2013 to May 2, 2013 pursuant to 18 U.S.C. § 3161(h)(7)(a) and 18 U.S.C. §3161(h)(7)(B)(iv) .

IT IS SO ORDERED.

March 26, 2013
Date


HON. YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE